

HOUSE BILL 713

E1

0lr1162
CF SB 579

By: **Delegates Morhaim, Ali, Anderson, Aumann, Barnes, Barve, Boteler, Branch, Burns, Cane, Cardin, Carr, G. Clagett, Dumais, Elmore, Feldman, Frank, Glenn, Gutierrez, Guzzone, Harrison, Hecht, Heller, Hucker, Jenkins, Jennings, Kach, Kramer, Krysiak, Lafferty, Levy, McComas, McConkey, McHale, McIntosh, Murphy, Nathan-Pulliam, Oaks, Pendergrass, Proctor, Reznik, Riley, Robinson, Rosenberg, Ross, Schuler, Simmons, Smigiel, Stein, Stukes, Stull, Tarrant, F. Turner, and Valderrama**

Introduced and read first time: February 4, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Drug Schedules – Marijuana**

3 FOR the purpose of making marijuana a Schedule II controlled dangerous substance;
4 and generally relating to the classification of controlled dangerous substances.

5 BY renumbering

6 Article – Criminal Law

7 Section 5–403(d), (e), and (f), respectively

8 to be Section 5–403(e), (f), and (g), respectively

9 Annotated Code of Maryland

10 (2002 Volume and 2009 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Criminal Law

13 Section 5–402(d)(1)

14 Annotated Code of Maryland

15 (2002 Volume and 2009 Supplement)

16 BY adding to

17 Article – Criminal Law

18 Section 5–403(d)

19 Annotated Code of Maryland

20 (2002 Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 5–403(d), (e), and (f), respectively, of Article – Criminal
3 Law of the Annotated Code of Maryland be renumbered to be Section(s) 5–403(e), (f),
4 and (g), respectively.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
6 read as follows:

7 **Article – Criminal Law**

8 5–402.

9 (d) (1) A material, compound, mixture, or preparation that contains any of
10 the following hallucinogenic or hallucinogenic–like substances is a substance listed in
11 Schedule I:

- 12 (i) bufotenine;
- 13 (ii) diethyltryptamine;
- 14 (iii) dimethyltryptamine;
- 15 (iv) 4–methyl–2, 5–dimethoxyamphetamine;
- 16 (v) ibogaine;
- 17 (vi) lysergic acid diethylamide;
- 18 [(vii) marijuana;]
- 19 [(viii) (VII) mescaline;
- 20 [(ix) (VIII) peyote;
- 21 [(x) (IX) psilocybin;
- 22 [(xi) (X) psilocyn;
- 23 [(xii) (XI) tetrahydrocannabinol;
- 24 [(xiii) (XII) thiophene analog of phencyclidine;
- 25 [(xiv) (XIII) 2, 5–dimethoxyamphetamine;
- 26 [(xv) (XIV) 4–bromo–2, 5–dimethoxyamphetamine;
- 27 [(xvi) (XV) 4–methoxyamphetamine;

- 1 [(xvii)] (XVI) 3, 4-methylenedioxyamphetamine;
- 2 [(xviii)] (XVII) 3, 4-methylenedioxymethamphetamine (MDMA);
- 3 [(xix)] (XVIII) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 4 [(xx)] (XIX) 3, 4, 5-trimethoxyamphetamine;
- 5 [(xxi)] (XX) N-methyl-3-piperidyl benzilate;
- 6 [(xxii)] (XXI) N-ethyl-3-piperidyl benzilate;
- 7 [(xxiii)] (XXII) N-ethyl-1-phenylcyclohexylamine;
- 8 [(xxiv)] (XXIII) 1-(1-phenylcyclohexyl)-pyrrolidine;
- 9 [(xxv)] (XXIV) 1-(1-(2-thienyl)-cyclohexyl)-piperidine;
- 10 [(xxvi)] (XXV) 1-methyl-4-phenyl-4-propionoxypiperidine
11 (MPPP); and
- 12 [(xxvii)](XXVI) 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine
13 (PEPAP).
- 14 5-403.

15 (D) A MATERIAL, COMPOUND, MIXTURE, OR PREPARATION THAT
16 CONTAINS MARIJUANA IS A SUBSTANCE LISTED IN SCHEDULE II.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2010.